PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER ACTION	see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
1999CH006		
International application No.	International filing date *(day/month/year)*	(Earliest) Priority Date *(day/month/year)*
PCT/IB 00/00981	18/07/2000	19/07/1999
Applicant		
CLARIANT FINANCE (BVI) LIMITED et al..		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

[X] It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

[ ] the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

[ ] contained in the international application in written form.

[ ] filed together with the international application in computer readable form.

[ ] furnished subsequently to this Authority in written form.

[ ] furnished subsequently to this Authority in computer readble form.

[ ] the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

[ ] the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. [ ] **Certain claims were found unsearchable** (See Box I).

3. [ ] **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

[X] the text is approved as submitted by the applicant.

[ ] the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

[X] the text is approved as submitted by the applicant.

[ ] the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. ----

[ ] as suggested by the applicant.

[ ] because the applicant failed to suggest a figure.

[ ] because this figure better characterizes the invention.

[ ] None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/IB 00/00981

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 D06P1/52 D06P1/00 D06M15/507

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 D06P D06M C10M

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)
WPI Data, PAJ, EPO-Internal, CHEM ABS Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 820 982 A (SALSMAN ROBERT KEITH) 13 October 1998 (1998-10-13) cited in the application column 6, line 14 - line 35 column 6, line 39 -column 7, line 4; claims	1-3, 7-10,14, 15
X	WO 85 03959 A (BUCHANAN WILSON ROBERT) 12 September 1985 (1985-09-12) cited in the application the whole document	1,4,6-15
X	EP 0 506 613 A (CIBA GEIGY AG) 30 September 1992 (1992-09-30) cited in the application the whole document	1,3, 7-10,14

-/--

[X] Further documents are listed in the continuation of box C.

[X] Patent family members are listed in annex.

° Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
25 September 2000	09/10/2000

Name and mailing address of the ISA	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Blas, V

Form PCT/ISA/210 (second sheet) (July 1992)

International Application No
PCT/IB 00/00981

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 98 00449 A (EASTMAN CHEM CO) 8 January 1998 (1998-01-08) the whole document	1-16
A	EP 0 000 898 A (CASSELLA FARBWERKE MAINKUR AG) 7 March 1979 (1979-03-07) the whole document	1-16
A	EP 0 018 947 A (CIBA GEIGY AG) 12 November 1980 (1980-11-12) the whole document	1-16
A	DE 41 07 283 A (HENKEL KGAA) 10 September 1992 (1992-09-10) the whole document	1-3

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No
PCT/IB 00/00981

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 5820982 A	13-10-1998	AU 5365698 A	29-06-1998
		BR 9713845 A	29-02-2000
		CN 1245541 A	23-02-2000
		EP 0991800 A	12-04-2000
		NO 992663 A	02-08-1999
		WO 9824953 A	11-06-1998
WO 8503959 A	12-09-1985	AU 3993485 A	24-09-1985
		BR 8505478 A	18-02-1986
		DE 3590079 T	06-02-1986
		EP 0174341 A	19-03-1986
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		GB 2166459 A,B	08-05-1986
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		IT 1182712 B	05-10-1987
		JP 61501577 T	31-07-1986
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		WO 8800607 A	28-01-1988
		US 4608056 A	26-08-1986
		US 4602916 A	29-07-1986
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EP 0506613 A	30-09-1992	AU 652616 B	01-09-1994
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		CA 2063770 A	26-09-1992
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		MX 9201275 A	01-10-1992
		US 5399616 A	21-03-1995
		ZA 9202129 A	25-11-1992
WO 9800449 A	08-01-1998	NONE	
EP 0000898 A	07-03-1979	DE 2737260 A	12-07-1979
		DE 2861600 D	11-03-1982
		IT 1118248 B	24-02-1986
		JP 1383758 C	09-06-1987
		JP 54042475 A	04-04-1979
		JP 61051073 B	07-11-1986
EP 0018947 A	12-11-1980	AU 541659 B	17-01-1985
		AU 5802280 A	06-11-1980
		DE 3066352 D	08-03-1984
		JP 1232979 C	26-09-1984
		JP 55152868 A	28-11-1980
		JP 59005713 B	06-02-1984
		US 4311480 A	19-01-1982
DE 4107283 A	10-09-1992	DE 59201342 D	16-03-1995
		WO 9215749 A	17-09-1992
		EP 0574441 A	22-12-1993
		ES 2068029 T	01-04-1995
		JP 6505062 T	09-06-1994

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No
PCT/IB 00/00981

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
DE 4107283 A		MX 9201011 A	01-09-1992
		TR 25819 A	01-09-1993

CONFIRMATION COPY

PATENT COOPERATION TREATY

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ACKNOWLEDGEMENT OF RECEIPT OF DOCUMENTS FILED WITH THE INTERNATIONAL BUREAU AS RECEIVING OFFICE

To:

D'HAEMER, Jan
C/o Clariant International Ltd
Rothausstrasse 61
CH-4132 Muttenz
SUISSE

Facsimile No.: 061 469 6588

Date of mailing (day/month/year) 18 July 2000 (18.07.00)	
Applicant's or agent's file reference 1999CH006	IMPORTANT COMMUNICATION
International application No. PCT/IB00/00981	Date of receipt (day/month/year) 18 July 2000 (18.07.00)
Applicant CLARIANT FINANCE (BVI) LIMITED et al	
Title of the invention INCREASING THE WET SLIPPAGE PROPERTIES OF TEXTILE MATERIAL, AND WET-ACTING LUBRICANTS FOR THIS PURPOSE	

1. The International Bureau has received the documents/elements listed below on: 18 July 2000 (18.07.00) by the following means: surface mail (registered)

- [X] PCT Request (4 pages)
- [X] description (excluding sequence listing part) (30 pages)
- [X] claims (3 pages)
- [X] abstract (1 page)
- [ ] drawings
- [ ] sequence listing part of description
- [X] fee calculation sheet
- [ ] separate authorization to charge deposit account
- [ ] cheque
- [ ] cash (in person only)
- [X] power(s) of attorney (copy of general power: 2; separate power: 1)
- [ ] statement(s) explaining lack of signature
- [X] priority document (1)
- [ ] separate indications concerning deposited micro-organism or other biological material
- [ ] nucleotide and/or amino acid sequence listing on diskette
- [ ] statement(s) accompanying diskette(s) containing sequence listing
- [X] accompanying letter (1)
- [ ] form PCT/RO/198 (RO/IB)
- [X] PCT-EASY diskette
- [ ] other (specify):

The applicant's attention is drawn to the fact that these papers have not yet been checked by this receiving Office in respect of their compliance with the requirements of Article 11(1), that is, whether these papers meet the requirements necessary for the according of an international filing date. As soon as these papers have been checked, the applicant will be informed accordingly.

2. Additional observations (if necessary):

Name and mailing address of the receiving Office International Bureau of WIPO PCT Receiving Office Section 34, chemin des Colombettes, 1211 Geneva 20, Switzerland Facsimile No. (41-22) 910 06 10 (Groups 3 and 4)	Authorized officer Jean-Luc Baron Telephone No. (41-22) 338 93 52

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
1999CH006		
International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/IB00/00981	18/07/2000	19/07/1999
International Patent Classification (IPC) or national classification and IPC		
D06P1/52		
Applicant		
CLARIANT FINANCE (BVI) LIMITED et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

   ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

   These annexes consist of a total of 4 sheets.

3. This report contains indications relating to the following items:

   - I ☒ Basis of the report
   - II ☐ Priority
   - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
   - IV ☐ Lack of unity of invention
   - V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations suporting such statement
   - VI ☐ Certain documents cited
   - VII ☐ Certain defects in the international application
   - VIII ☒ Certain observations on the international application

Date of submission of the demand	Date of completion of this report
08/01/2001	01.10.2001
Name and mailing address of the international preliminary examining authority: European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Koegler-Hoffmann, S Telephone No. +49 89 2399 8611

Form PCT/IPEA/409 (cover sheet) (January 1994)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IB00/00981

I. Basis of the report

1. With regard to the **elements** of the international application *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17))*:
Description, pages:

1,3-30	as originally filed			
2	as received on	05/09/2001	with letter of	05/09/2001

Claims, No.:

1-17	as received on	05/09/2001	with letter of	05/09/2001

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

   These elements were available or furnished to this Authority in the following language: , which is:

   - ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
   - ☐ the language of publication of the international application (under Rule 48.3(b)).
   - ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

   - ☐ contained in the international application in written form.
   - ☐ filed together with the international application in computer readable form.
   - ☐ furnished subsequently to this Authority in written form.
   - ☐ furnished subsequently to this Authority in computer readable form.
   - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
   - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

   - ☐ the description, pages:
   - ☐ the claims, Nos.:
   - ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

   (Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-9,13-15,17
	No:	Claims	10-12,16
Inventive step (IS)	Yes:	Claims	1-9,13-15
	No:	Claims	10-12, 16,17
Industrial applicability (IA)	Yes:	Claims	1-17
	No:	Claims	

2. Citations and explanations
   see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

D1: US-A-5 820 982
D2: WO 85 03959 A
D3: US-A-4 483 969
D4: US-A-4 200 731
D5: US-A-6 129 909
D6: GB-A-2 304 727

1. D3 discloses the preparation and the use of emulsifiable polyester waxes which are linear polyester waxes which are end capped with polyfunctional organic anhydrides (D3: column 1, line 58 to column 2, line 24). Even though said polyesters are end-capped with polyfunctional organic anhydrides in order to provide sites for further reaction (column 2, lines 24 to 25) the polyester disclosed in D3 fall within the broad scope of the polyesters claimed in claims 10, 11, 12 and 16 of the current application.

D5 describes the preparation and use of end-capped polyester. Said polyesters are reaction products of naphthalene dicarboxylic acid and an alcohol or a polyglycol and are end-capped with an alcohol or an acid (D5: column 2, line 65 to column 4, line 18). It follows from the description of the current application (page 5, last paragraph) that the same compounds are used as used in D5. Thus, even though the products of D5 are not explicitly described as dispersible or colloidally soluble in water, said compounds fall within the scope of claim 10.

The subject matter of claims 10, 11, 12, 16 and 17 does not fulfil the requirements of Articles 33(2) and/or 33(3) PCT.

2. None of the available prior art documents suggests or gives a hint to the use of water-dispersible or -colloidally soluble, end-capped polyesters as wet-acting lubricant as claimed in claim 1 of the current application.

The problem underlying the current application is to provide improved wet - acting lubricants which reduce the tendency toward the formation or stabilisation and the marking of folds and reduce the substrate/substrate and substrate/metal friction.
Said problem is solved by the use of the end-capped polyesters (Ps) as claimed in claim 1.
The closest prior art documents are the documents D1 and D2. None of said cited documents suggests or gives a hint to said solution:

Document D1 describes the production of certain polyester resins from polyterephtalate, a sulphoaryldicarboxylate with glycol and oxyalkylated polyol in the presence of acetate (see D1: column 5, lines 15 to 36; examples).
The compositions disclosed in D1 are used as sizing materials in textile treating processes (column 5, line 37 to column 6, line 35) and in dyeing processes.
Contrary to the current application D1 does not describe end-capped polyesters.

Document D2 relates to compositions as additives for water-based systems useful for lubrication textile fibres. Said compositions comprises higher alkyl esters of benzene-mono-to hexa-carboxylic acid. Even though D2 designates said compounds as "polyester", said compounds are no polymers and do not correspond to the conventional definition of the technical term "polyester".

In view of said documents independent claims 1, 13 and 14 appear to meet Article 33(2) and 33(3) PCT.
The subject matter of claims 1, 13 and 14 is industrially applicable and therefore also meets the requirements of Article 33(4) PCT.
Dependent claims 2 to 9 and 15 are preferred embodiments of the subject matter of claims 1 and 14 and therefore also meet Articles 33(2) and 33(3) PCT.

Re Item VIII

Certain observations on the international application

Although claims 11 and 16 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from

each other only with regard to the definition of the subject-matter for which protection is sought. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since there is no difference between the subject matter of the two claims.
Hence, claims 11 and 16 do not meet the requirements of Article 6 PCT.

Moreover, the composition called for in claim 11 is defined in one of claims 4 to 6. Claim 6 refers to the use of a composition comprising water and at least one of the additives (G), (X), (Y) and (Z). In other words, said claims include already the definition "essentially consisting of". Thus, there is no difference between the composition claimed in claim 11 and the composition claimed in claims 12 and 16 (Article 6 PCT).

particularly high shear forces while developing their action as well as possible for short liquors too. The shorter the liquor, the greater the requisite efficacy of the respective treatment agents since wet slippage of the goods and the achievement of a level, smooth goods appearance without damage to the goods is made more difficult the greater the proportion of liquor taken up by the goods.

It has now been found that certain end-capped polyesters having a certain hydrophilicity, as is sufficient for the polyester to be dispersible or colloidally soluble in water, in particular self-dispersible or colloidally soluble, particularly also end-capped polyesters as otherwise used as soil release agents, surprisingly have an advantageous action as wet-acting lubricants (i.e. as wet-acting slip agents) in the treatment of textile piece goods in rope form or tubular form, particularly made from polyester fibres, in jet dyeing machines, where, for example, they do not hinder or impair the dyeing, but act surprisingly well and extremely superficially on the wet substrate as wet-acting lubricants in surprisingly high efficiency and yield, and further with a high degree of constancy and reproducibility of these properties, even if the products employed come from different lots and/or have been stored for a prolonged time.

The invention relates to the use of such polyesters (P_S) as defined below, as wet-acting lubricants for the treatment of textile material in the form of textile piece goods, particularly in rope form or tubular form, to the corresponding wet-acting lubricants, and to their production and aqueous compositions (W) thereof.

A first subject-matter of the invention is thus the use of

(P_S) water-dispersible or -colloidally soluble, end-capped polyesters

as wet-acting lubricants in the treatment of textile piece goods with a textile treatment agent (T) by an exhaust process from aqueous liquor under conditions which would otherwise in the textile substrate favour the formation of transport folds and/or the occurrence of friction in or on the substrate,

or respectively is

a process for the treatment of textile piece goods with a textile treatment agent (T) by exhaust methods from aqueous liquor under conditions which would otherwise in the textile substrate favour the formation of transport folds and/or the occurrence of friction in or on the substrate, characterized in that the process is carried out in the presence of a water-dispersible or -colloidally soluble end-capped polyester (P_S) as a wet-acting lubricant.

CLAIMS

1. Use of

(P_S) water-dispersible or -colloidally soluble, end-capped polyesters

as wet-acting lubricants in the treatment of textile piece goods with a textile treatment agent (T) by an exhaust process from aqueous liquor under conditions which would otherwise in the textile substrate favour the formation of transport folds and/or the occurrence of friction in or on the substrate.

2. Use according to claim 1, characterised in that (P_S) is a polyester made from difunctional compounds (D), and monofunctional compounds (E) which are suitable for the end capping of the polyesters, and optionally higher oligo-functional compounds (H) which are suitable for the branching of the polyesters.

3. Use according to Claim 1 or 2, characterised in that (P_S) is a polyester (P_S') which is self-dispersible or colloidally soluble in water.

4. Use according to one of Claims 1 to 3, characterised in that (P_S) is employed in the form of an aqueous, concentrated composition (W).

5. Use according to Claim 4 characterised in that (W) is an aqueous composition which is characterised by a content of (P_S) and

(G) a thickening agent.

6. Use according to Claim 4 or 5, characterised in that (W), in addition to (P_S) and optionally (G), contains at least one of the following components

(X) a non-ionogenic or anionic emulsifier or a mixture of non-ionogenic and/or anionic emulsifiers,

(Y) an agent for adjusting the pH

and (Z) at least one formulation additive.

7. Use according to one of Claims 1 to 6, characterised in that (T) is at least one dye or at least one optical brightener.

8. Use according to one of Claims 1 to 7, in the dyeing or optical brightening of textile material made from polyester fibres, optionally blended with other fibres, in jet dyeing machines.

9. Use according to one of Claims 1 to 8, in the dyeing or optical brightening of textile material made from polyester microfibres, optionally blended with other fibres of comparable fineness

10. Wet-acting lubricant for the dyeing or optical brightening of textile piece goods in rope or tubular form by an exhaust method from aqueous liquor under conditions which would otherwise in the textile substrate favour the formation of transport folds or the occurrence of friction in or on the substrate, characterised by a content of (P_S) as defined in one of Claims 1 to 3.

11. Aqueous wet-acting lubricant compositon which is an aqueous composition (W) which is defined as in one of Claims 4 to 6.

12. Aqueous wet-acting lubricant composition (W) according to Claim 11, essentially consisting of (P_S) and water and at least one of the additives (G), (X), (Y) and (Z).

13. Process for the production of an aqueous, (G) or/and (X) containing composition (W) according to Claim 12, wherein a melt of (P_S) is mixed in the presence of water with (G) or/and (X) and optionally one or more of (Y) and (Z) is added.

14. Process for the treatment of textile piece goods with a textile treatment agent (T) by exhaust methods from aqueous liquor, under conditions which would otherwise in the textile substrate favour the formation of transport folds or the occurrence of friction in or on the substrate, characterised in that the process is carried out in the presence of a water-dispersible or -colloidally soluble, end-capped polyester (P_S) as defined in one of Claims 1 to 3, optionally in the form of an aqueous composition (W) as defined in any one of Claims 4 to 6, as a wet-acting lubricant.

15. Process according to Claim 14, wherein (P_S) is removed at the end of the treatment process.

16. Aqueous polyester composition (W'), essentially consisting of (P_S), (G) and water and optionally at least one of the additives (X), (Y) and (Z), in which (P_S) is as defined in any one of Claims 1 to 3, (G) is as defined in Claim 5, and (X), (Y) and (Z) are as defined in Claim 6.

17. Aqueous polyester composition (W") according to Claim 16, essentially consisting of (P_S'), (G) and water and additionally optionally one or more of the additives (Y) and/or (Z), in the form of an aqueous dispersion or colloidal solution.